



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

In Reply Please Refer To The Following:		
EXAMINER'S NAME JFan		
121	4/25/79	033,234
GR. ART UN.	FILING DATE	SERIAL NO.
Valentino J. Stella		et al
APPLICANT		INVENTION
5,5-DIPHENYLHYDANTOINS		

JB
6/27/80

Paper No. 12/Q

Mailed _____

MAILED

JUL 3 1980

GROUP 120

Norman H. Stepno
Burns, Doane, Swecker & Mathis
George Mason Bldg.
Washington & Prince Sts
Alexandria, Va. 22313

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents and Trademarks

**CHANGES AND/OR ADDITIONS TO THE APPLICATION RECORD MADE BY THE
EXAMINER UPON ALLOWANCE**

This application is in condition for allowance and the following changes have been made therein by the Examiner. Should the changes be unacceptable to applicant, an appropriate amendment may be proposed after the Notice of Allowance has been received, as provided under Rule 312. To ensure consideration of such an amendment, it must be submitted on or before remittance of the Base Issue Fee.

PROSECUTION ON THE MERITS IS CLOSED. A NOTICE OF ALLOWANCE WILL BE MAILED IN DUE COURSE.

[] Note attached Notice of References Cited PTO892, which is part of this communication. The listed references are considered to be pertinent to the claimed invention, but the claims are deemed patentable thereover.

Pursuant to a telephonic communication with applicants' attorney, Mrs. Baumeisner on June 18, 1980, the following changes have been made:

Claim 24, line 2 following the structural formula,
"-CH(R₁)-X-P(O)(OH)₂" has been changed to -- -CH(R₁)-O-P(O)(OH)₂--

Claim 24, line 4 following the structural formula,
the words "X is O or S" have been deleted.

TO FACILITATE PROCESSING
THROUGH ISSUE-DO NOT FILE
ADDITIONAL CORRESPONDENCE
UNTIL FORMAL
NOTICE OF ALLOWANCE (POL 85)
HAS BEEN RECEIVED.

Serial No. 033,234

Art Unit 121

Claim 27, line 1, "25" has been changed to --24--.
Line 2, " $-\text{CH}(\text{R}_1)\text{X}-\text{P}(\text{O})(\text{OH})_2$ " has been changed to --
 $-\text{CH}(\text{R}_1)-\text{O}-\text{P}(\text{O})(\text{OH})_2$ --.

Claims 25, 26, 28 and 29 have been cancelled.

The above changes have been made for the sole purpose of obtaining allowance of the remaining claims in the instant application. It is understood (1) that applicants are not abandoning the subject matter of the cancelled claims and (2) that applicants are cancelling these claims without prejudice to filing divisional patent applications for the subject matter encompassed by the cancelled claims.

The four newly cited references further show the state of the art.

Claims 24, 27 and 30 are being passed for issue.

JF
Jfan:ebw

A/C 703

557-2517

06/27/80

J. Randolph
J. RANDOLPH
EXAMINER
GROUP ART UNIT 121